



House of Commons
Digital, Culture, Media and
Sport Committee

**Pre-appointment
hearing for Chair of
Ofcom**

Eleventh Report of Session 2021–22

*Report, together with formal minutes relating
to the report*

*Ordered by the House of Commons
to be printed 31 March 2022*

The Digital, Culture, Media and Sport Committee

The Digital, Culture, Media and Sport Committee is appointed by the House of Commons to examine the expenditure, administration and policy of the Department for Digital, Culture, Media and Sport and its associated public bodies.

Current membership

[Julian Knight MP](#) (*Conservative, Solihull*) (Chair)

[Kevin Brennan MP](#) (*Labour, Cardiff West*)

[Steve Brine MP](#) (*Conservative, Winchester*)

[Clive Efford MP](#) (*Labour, Eltham*)

[Julie Elliott MP](#) (*Labour, Sunderland Central*)

[Rt Hon Damian Green MP](#) (*Conservative, Ashford*)

[Dr Rupa Huq MP](#) (*Labour, Ealing Central and Acton*)

[Simon Jupp MP](#) (*Conservative, East Devon*)

[John Nicolson MP](#) (*Scottish National Party, Ochil and South Perthshire*)

[Jane Stevenson MP](#) (*Conservative, Wolverhampton North East*)

[Giles Watling MP](#) (*Conservative, Clacton*)

Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No. 152. These are available on the internet via www.parliament.uk.

Publication

© Parliamentary Copyright House of Commons 2022. This publication may be reproduced under the terms of the Open Parliament Licence, which is published at www.parliament.uk/copyright.

Committee reports are published on the Committee's website at www.parliament.uk/dcmscom and in print by Order of the House.

Committee staff

The current staff of the Committee are Keely Bishop (Committee Operations Assistant), Andy Boyd (Committee Operations Manager), Joe Briggs (Committee Specialist), Laura Caccia (Second Clerk), Dr Conor Durham (Committee Specialist), Ollie Florence (Senior Media and Communications Officer), Lois Jeary (Committee Specialist), Dr Stephen McGinness (Clerk) and Billy Roberts (Media & Communications Officer).

Contacts

All correspondence should be addressed to the Clerk of the Digital, Culture, Media and Sport Committee, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 6188; the Committee's email address is dcmscom@parliament.uk.

You can follow the Committee on Twitter using [@CommonsDCMS](https://twitter.com/CommonsDCMS).

Contents

1	Background	3
	Introduction	3
2	The candidate	4
	Biographical information	4
	Our evidence	4
	Conclusion	4
	Appendix 1: Job Advertisement	5
	Appendix 2: The Lord Grade Of Yarmouth's CV	12
	Appendix 3: Candidate Questionnaire	13
	Appendix 4: Information provided by the Department for Digital, Culture, Media and Sport about the preferred candidate and recruitment campaign	15
	Formal minutes	21
	Witnesses	22
	List of Reports from the Committee during the current Parliament	23

1 Background

Introduction

1. On 12 February 2021, the Department of Digital, Culture, Media and Sport launched a competition for a new Chair to replace the previous Chair of the Office of Communications (Ofcom),¹ Lord Terry Burns.² This was a four-year appointment with a three day per week time commitment.³ Lord Burns stepped down from the role in February 2021 after only three years into his tenure, which began on 1 January 2018.⁴ Maggie Carver has been serving as interim Chair since 1 January 2021.⁵

2. The Ofcom Chair competition was advertised on the Cabinet Office Centre for Public Appointments website.⁶ No executive search consultants were announced to assist in the process. The application closing date was 26 March 2021, with interviews taking place in April 2021.⁷ In May 2021, the Department wrote to the Commissioner for Public Appointments requesting a second competition for the position.⁸ The decision came amid speculation that the preferred candidate, Paul Dacre, had failed to pass the independent interview panel.⁹ We expressed concern about the lack of clarity on why the processes was to be re-run.¹⁰ The process was relaunched on 29 November 2021, on the Public Appointments website,¹¹ and was also advertised by search consultants Saxton Bampfylde.¹²

3. Unexpectedly, the competition re-opened for applications on 26 January 2022 for one week.¹³ In a letter to the Committee, on 4 March, the Permanent Secretary of the Department for Digital, Culture, Media and Sport, Sarah Healey, said that this one-week extension was “to allow for a further opportunity for applications to be submitted”. When asked for the number of candidates who applied in this period she responded: “we will not be providing a running commentary on candidate numbers”.¹⁴ This re-opening raised additional concerns for us.¹⁵

4. On 24 March 2022, the Government named Lord Michael Grade as their preferred candidate for the role.¹⁶ We held a pre-appointment hearing for Lord Grade on 31 March 2022. We thank him for his evidence, which is published on our website. Appendix One contains more information on the role of Chair of Ofcom, including person specifications and selection criteria for the post.

1 Cabinet Office, [HM Government Public Appointments: Chair - Ofcom](#), accessed 28 March 2022

2 Ofcom, [Lord Burns joins Ofcom as Chairman](#), accessed 28 March 2022

3 Cabinet Office, [HM Government Public Appointments: Chair - Ofcom](#), accessed 28 March 2022

4 Ofcom, [Ofcom Board appoints Dame Melanie Dawes as Chief Executive](#), accessed 28 March 2022

5 Ofcom, [Maggie Carver appointed Ofcom interim Chair from January](#), accessed 28 March 2022

6 Cabinet Office, [HM Government Public Appointments: Chair - Ofcom](#), accessed 28 March 2022

7 Ibid.

8 “[Ofcom chair selection process to be re-started - BBC News](#)”, BBC, 27 May 2021

9 “[Ministers reopen hunt for Ofcom chair after Paul Dacre is rejected](#)”, The Guardian, 27 May 2021

10 UK Parliament, [Committee Chair comments on Ofcom Chair appointments process](#), 28 May 2021

11 Cabinet Office, [HM Government Public Appointments: Chair - Ofcom](#), accessed 28 March 2022

12 Saxton Bampfylde, [Ofcom](#), accessed 28 March 2022

13 Cabinet Office, [HM Government Public Appointments: Chair - Ofcom](#), accessed 28 March 2022

14 Department of Digital, Culture, Media and Sport, [Letter to the DCMS Committee](#), 4 March 2022

15 UK Parliament, [Chair comments on Ofcom Chair appointment deadline extension](#), 27 January 2022

16 “[Government names preferred candidate for Ofcom chair](#)”, Department of Digital, Culture, Media and Sport press release, 24 March 2022

2 The candidate

Biographical information

5. Lord Michael Grade is the Government's preferred candidate for the position as Chair of Ofcom. Lord Grade has had a long career in broadcasting, encompassing London Weekend Television, the BBC, ITV, as well as over nine years as Chief Executive of Channel Four Television. He has served as the non-executive Chairman on a number of media, film and production organisations, as well as private companies such as Ocado and Camelot.

6. Lord Grade does have active affiliations and, in January 2011, became the Conservative Peer, Lord Grade of Yarmouth. We were assured that if appointed, Lord Grade would resign the Conservative whip and be a crossbench peer for the period of the appointment.

Our evidence

7. In our oral evidence, we asked Lord Grade about the following specific matters:

- The pre-appointment process;
- The need for political independence;
- His priorities for Ofcom; and,
- The role of Ofcom in holding communications organisations to account.

Conclusion

8. The process of appointing a Chair for Ofcom has, like other recent appointments from the Department of Digital, Culture, Media and Sport, been drawn out and subject to allegations of political interference. Ofcom has been without Chair for nearly a year, in which time the recruitment process has been opened for applications no less than three times. This shambles of a process gives us great concern about the Department's ability to run effective and impartial public appointment competitions.

9. It is evident that Lord Grade would bring considerable experience in, and knowledge of, the media sector to this role. His commitment to leave his strong opinions aside and resist political pressure gives us hope that he will be able to act with the strict independence required of the role. We note his confirmation that he would play no part in public debates about the future of Channel 4 and the BBC.

10. His clear lack of depth when talking about social media and online safety gives us concerns. However, he appears to understand the importance of Ofcom's new role in regulating the online space. It would be difficult to find a candidate with deep experience across the whole of Ofcom's remit, and we hope that he will be well supported with the necessary advice to fulfil his role as Chair.

11. We continue to have concerns about the Department's commitment diversity in these important public appointments. We are surprised to hear that the panel was "encouraged" by a shortlist of nine candidates which contained only three women, one candidate who identified as BAME, and one candidate with a declared disability.

Appendix 1: Job Advertisement

Chair of Ofcom

The Secretary of State for Digital, Culture, Media and Sport is looking for an outstanding individual to appoint as the new Chair for Ofcom. The appointment will be made in accordance with the Cabinet Office's [Governance Code on Public Appointments](#). The appointment process is regulated by the Commissioner for Public Appointments, who is responsible for ensuring that the appointment is made in accordance with the Governance Code.

DCMS is committed to ensuring its public appointments are diverse, representative of society and benefit from a broad range of skills and perspectives. We would particularly welcome applications from women, those with a disability, and those from a black or ethnic minority background.

Candidates should be aware that the preferred candidate for the post of Chair will be required to appear before a Parliamentary Select Committee prior to appointment.

About Ofcom

Ofcom is the regulator for the UK communications industries, with responsibilities across television, telecommunications, wireless communications, online, radio and postal services. Ofcom is accountable to Parliament and is independent of both Government and those it regulates. Ofcom operates at the cutting-edge of the digital communications industries in the UK and in a fast changing environment. Ofcom's principal duty is to further the interests of citizens and consumers, where appropriate, by promoting competition.

It has responsibility for overseeing television and radio broadcasting throughout the United Kingdom including regulating the BBC and ensuring news is reported with due accuracy and presented with due impartiality; it regulates the postal and telecommunications sectors, taking steps to protect consumers and overseeing universal service obligations. It supports the delivery of new network infrastructure through regulation and has further duties in relation to the security and resilience of communications networks. Ofcom also ensures the effective use of spectrum and that a wide range of electronic communications services are available (such as broadband and mobile telephony). It took on new duties in 2020 in relation to regulating content on Video Sharing Platforms.

In addition, the government has recently announced that Ofcom's remit will be further expanded to include online harms regulation. Ofcom is now working with the Government and legislation will be brought forward later this year.

Ofcom's operating budget for the current financial year is £155.7 million. Ofcom's Annual Plan and Annual Report can be found [here](#).

Role of the Board

Ofcom was created by the Office of Communications Act 2002, which establishes that Ofcom is constituted of the Ofcom Board. Ofcom's functions and duties are set out in a range of

further primary and secondary legislation, including, in particular, the Communications Act 2003, the Broadcasting Acts of 1990 and 1996, the Wireless Telegraphy Act 2006, the Postal Services Act 2011 and the Digital Economy Acts of 2010 and 2017.

The Ofcom Board has oversight over the fulfilment of Ofcom's general duties and specific statutory responsibilities and its overall funding and expenditure. The Board is also responsible for approving the strategic objectives and priorities for Ofcom, agreeing an appropriate level of risk appetite and ensuring management maintains an effective system of internal control. The Ofcom Board comprises up to twelve Directors - there are currently six Non-Executive Directors including the Interim Chair and the two Non-Executive Directors for Scotland and Wales and three Executive Directors. The Non-Executive Director for Northern Ireland is still to be appointed.

The Chair leads the Board which is responsible for Ofcom's strategic direction, ensuring that Ofcom has regard to the Secretary of State's wider strategic policies (in certain sectors) and that Ofcom retains its position as an independent regulator. The Chair ensures that Ofcom's affairs are conducted with probity, and that the Board adheres to the principles of good corporate governance and responsibility and ensures Ofcom's commitment to carrying out its duties with independence and impartiality. To do this, the Chair will be regularly reviewing the work of the Board and its members to ensure it is running effectively with the appropriate balance of skills in place. This role is the public face of the Board and will need to effectively represent its decisions and views and uphold Ofcom's reputation in all professional and personal conduct. The Chair will also support and hold to account the Chief Executive and the Senior Team in implementing the Board's strategy.

The Board acts on a collective basis and operates on the principles of collective responsibility, support and respect. It takes decisions after considering recommendations made to it by the Ofcom Executive, which has operational responsibility and answers to the Board. The work of both the Board and Executive is informed by the contribution of a number of advisory bodies.

The Ofcom Board meetings are formally recorded: agendas and notes/minutes of meetings are published regularly on Ofcom's website. Meetings are usually held at Ofcom's London offices. Board members, including the Chair, are expected to attend occasional meetings/functions in the Devolved Nations.

Role Specification

The Chair will be expected to:

- Lead an effective Board and provide appropriate support and challenge to the Chief Executive and wider executive team to deliver Ofcom's strategic and business plans and effectively discharge its statutory responsibilities, having regard to Government's wider strategic priorities; in particular through: ensuring that the Board meets with sufficient frequency; encouraging an open, inclusive discussion and challenge to the executive, where appropriate; ensuring the Board gives due time and attention to matters within its remit including matters reserved for the Board; and, evaluating the performance of the Board, Board Committees and individual Board Directors;

- Ensure the discharge of Ofcom’s statutory functions in a proportionate and lawful manner, and having regard to Government’s wider strategic priorities in relation to spectrum, telecoms and post, and workforce locations;
- Provide leadership to the organisation as its remit develops, including with the addition of online safety;
- Represent Ofcom to its various stakeholders, including the major companies that Ofcom regulates, the United Kingdom Government and Parliament and the Devolved National Governments of Wales, Scotland and Northern Ireland (working with the relevant Nations’ Board Directors);
- Represent Ofcom in discussions with Ministers and building strong relationships with Whitehall;
- Ensure the discharge of Ofcom’s statutory obligations, which includes the development of a Broadcasting Code for TV and radio services, covering standards in programming to protect the public from harmful and offensive material. This includes ensuring news is reported with due accuracy and presented with due impartiality; and,
- Uphold Ofcom’s strong reputation as an impartial, independent and evidence-based regulator and ensure that the Ofcom Board’s work is carried out at all times in accordance with the Seven Principles of Public Life: selflessness; integrity; objectivity; accountability; openness; honesty and leadership.

Key Selection Criteria

Candidates will need to be able to demonstrate that they meet the majority of the following criteria to a high standard:

- the ability to lead the Board of a major national body using sound judgement and decision-making to ensure successful delivery in a highly complex organisation;
- the ability to understand the business and economic principles underpinning the broadcasting, news consumption, online content platforms, telecommunications and postal industries in the digital environment;
- an appreciation of the needs of UK consumers and citizens and the competitive and consumer dynamics of these fast changing sectors;
- the ability to work effectively with the highest levels of Government as well as to command respect from senior stakeholders in industry;
- an understanding of the structures and business drivers of an economic or a regulatory environment; and
- a proven ability to drive through reform.

Personal attributes:

- In providing leadership to the Board, the Chair will be committed to working effectively with Board Directors and building a productive relationship with the Chief Executive;
- Candidates must demonstrate very high levels of personal integrity, and the ability to command respect and trust; and,
- Candidates must be able to demonstrate the ability to make sound, independent judgements under pressure.

Term of office

This is a four-year appointment. The successful candidate must be prepared to commit to taking on the Ofcom Chair as their primary role. This is likely to require a time commitment of up to three days per week.

In addition to chairing meetings of the Board, the Chair will be expected to serve as a member of the People Committee and to attend the Risk and Audit Committee.

Each of the short-listed candidates will have an opportunity to meet Melanie Dawes, the Chief Executive, and Maggie Carver, the Interim Chair.

Remuneration and time commitment

Remuneration £142,500 per annum

Time commitment – up to three days a week.

Expenses

All reasonable and properly documented expenses incurred in performing the duties of these roles will be reimbursed in accordance with Ofcom's expenses policy.

Operating openly and transparently

As a public entity, Ofcom is subject to the Freedom of Information Act 2000 (FOIA), and the Board is required to carry out its work openly and transparently, for example publishing its meeting minutes.

Disclosure or publication of certain information about Board members, and the work of the Board, may be required by FOIA, legislation or Ofcom's Management Agreement with the Department. This may include the fees / salary, expenses, hospitality and external interests of non-executive directors.

Diversity and inclusion

DCMS values and cares passionately about the diversity of its public appointments. Boards of public bodies should reflect our diverse society in order to ensure the sector has a leadership that draws fully on the different skills and perspectives our country has to offer.

We strongly encourage applications from all candidates and particularly welcome applications from women, those with a disability, and those from a black or ethnic minority background.

We ask all applicants to complete a diversity monitoring form. We hope you will help us by providing this information. Your data is not disclosed to the panel, but allows us to constantly evaluate any potential barriers to becoming a public appointee and whether there are any changes we could make to encourage a more diverse field to apply.

Disability Confident

We guarantee to interview anyone with a disability whose application meets the minimum criteria for the role. By 'minimum criteria' we mean that you must provide evidence in your application which demonstrates that you meet the level of competence required under each of the essential criteria.

If you wish to apply under this scheme, please state this in the covering email or letter when submitting your application.

Reasonable adjustments

If you would like a confidential discussion regarding any reasonable adjustments during the process, please also indicate this in the covering email or letter.

If you are not completely satisfied

We aim to process all applications as quickly as possible and to treat all applicants with courtesy. If you have any complaints about the way your application has been handled, please contact publicappointments@dcms.gov.uk.

Supporting information

This process is regulated by the Office of the Commissioner for Public Appointments' (OCPA's), in line with Cabinet Office's Governance Code for Public Appointments. All applicants are expected to have adhered to the Seven Principles of Public Life.

Eligibility Criteria

You cannot be considered for a public appointment if:

- you become bankrupt or make an arrangement with a creditor
- your estate has been sequestrated in Scotland or you enter into a debt arrangement programme under Part 1 of the Debt Arrangement and Attachment (Scotland) Act 2002 (asp 17) as the debtor or have, under Scots law, granted a trust deed for creditors;
- you are disqualified from acting as a company director under the Company Directors Disqualification Act 1986;
- you have been convicted of a criminal offence, the conviction not being spent for the purposes of the Rehabilitation of Offenders Act 1974 (c. 53);
- you become subject to a debt relief order or a bankruptcy restrictions order;

- you fail to declare any conflict of interest.

Conflicts of Interest and Due Diligence

If you have any interests that might be relevant to the work of the Ofcom, and which could lead to a real or perceived conflict of interest if you were to be appointed, please provide details in your application. If you have queries about this and would like to discuss further please contact the Public Appointments Team.

Given the nature of public appointments, it is important that those appointed as members of public bodies maintain the confidence of Parliament and the public. If there are any issues in your personal or professional history that could, if you were appointed, be misconstrued, cause embarrassment, or cause public confidence in the appointment to be jeopardised, it is important that you bring them to the attention of the Advisory Assessment Panel and provide details of the issue(s) in the statement supporting your application. In considering whether you wish to declare any issues, you should also reflect on any public statements you have made, including through social media.

As part of our due diligence checks we will consider anything in the public domain related to your conduct or professional capacity. This will include us undertaking searches of previous public statements and social media, blogs or any other publicly available information. This information may be made available to the Advisory Assessment Panel and they may wish to explore issues with you should you be invited to interview. The information may also be shared with ministers and the Cabinet Office.

Pre-appointment scrutiny

This role is subject to pre-appointment scrutiny by the Digital, Culture, Media and Sport select committee.

Pre-appointment scrutiny is an important part of the appointment process for some of the most significant public appointments made by Ministers. It is designed to provide an added level of scrutiny to verify that the recruitment meets the principles set out in the Governance Code on Public Appointments.

The pre-appointment scrutiny aspect of the appointment has two parts.

First, information concerning the appointment and the Minister's preferred candidate will be shared with the relevant select committee. As part of this process you will need to be content for your name and your CV to be shared with the Select Committee as the Government's preferred candidate. You may also be required to complete a pre-appointment hearing questionnaire which could include, among other things:

- declarations of any relevant potential conflicts of interest,
- what you see as the priorities and key risks for the organisation,
- questions about how you would lead the board and work with stakeholders,
- your commitment to standards in public life and how you would handle being in the public eye.

Normally any information provided to the select committee by the Government or a candidate will be published.

Second, it is likely that the select committee will decide to call the Government's preferred candidate to a public hearing before the select committee to answer questions relating to their suitability to the role. You would not be expected to have an in depth technical knowledge of how the body works or an exact plan of what you would do in the role, however you will be expected to provide a credible representation of your understanding of the work of the body and what your role in its future would be.

The proposed date for a pre-appointment hearing for this role will be confirmed as soon as possible after the launch of this campaign.

The Government is committed to making the public appointments as accessible as possible so that no one is deterred from applying. The Department will provide support to you to help you prepare for the hearing and the clerks to the select committee will also be available to discuss with you how the hearing will run. You will also be supported by the Department in working with the select committee should you require any adjustment to enable you to participate fully in the hearing process.

For more information about pre-appointment scrutiny, please see the ['Cabinet Office Guidance: Pre-appointment scrutiny by House of Commons Select Committees'](#).

The Liaison Committee also publishes [guidelines](#) to select committees for pre-appointment.

You may also find it helpful to review the [Code of Conduct for Board Members of Public Bodies](#), which sets out the expectations which the Government places on non-executive members of public bodies.

Appendix 2: The Lord Grade Of Yarmouth's CV

Michael Grade has had a long career in broadcasting, encompassing London Weekend Television, the BBC, ITV, as well as over nine years as Chief Executive of Channel Four Television.

In May 2004 he was appointed Chairman of the BBC, succeeding Gavyn Davies, resigning in November 2006 when his appointment as Executive Chairman of ITV was announced, a post he relinquished in 2009.

Michael Grade was non-executive Chairman of Pinewood and Shepperton Film Studios for 16 years.

He is non-executive Chairman of Infinity Creative Media, and of the Production Company StoryFirst. He is also non-executive Chairman of Reach for Entertainment, a Media and Entertainment Marketing Company.

Michael Grade is co-founder of the GradeLinnit company, which produces for the theatre.

He is Chairman of the Arora Group's Heathrow Expansion Advisory Board, having also been Chairman of Ocado, First Leisure Corporation, Camelot, the Charity Fundraising Regulator and Bradford's Media Museum as well as being a member of the former Press Complaints Commission and a trustee of the Science Museum.

In January 2011 he became the Conservative Peer, Lord Grade of Yarmouth.

Appendix 3: Candidate Questionnaire

Motivation

12. What motivated you to apply for this role, and what specific experiences would you bring to it?

I am very concerned to play a part in Ofcom's role in giving effect to the statutory requirements that will emerge from the new online safety legislation. Also, my long broadcasting experience will inform Ofcom's role in refining the framework for public service broadcasting for the next decade and ensuring continued investment and growth in our internationally successful creative industries.

13. If appointed are there specific areas within your new responsibilities where you will need to acquire new skills or knowledge?

Meeting the new challenges of streaming and online platforms will require some highly specialised technical knowledge. My job is to ensure Ofcom is ready for these new responsibilities, with the skills and technical knowledge to effectively regulate tech companies.

14. How were you recruited? Were you encouraged to apply, and if so, by whom?

I volunteered to enter the competition once the first process had failed. I was not encouraged to apply by anyone.

Personal Background

15. Do you currently or potentially have any business, financial or other non-pecuniary interests or commitments, that might give rise to the perception of a conflict of interest if you are appointed? How do you intend to resolve any potential conflicts of interests if you are appointed?

I am in the process of shedding some appointments that might be considered conflictual. There must be no conflicts perceived or actual.

16. If appointed what professional or voluntary work commitments will you continue to undertake, or do you intend to take on, alongside your new role? How will you reconcile these with your new role?

I support, pro bono, the sepsis trust, and I remain a trustee of Band Aid/Live Aid. I support a number of other charities informally. Paid roles which are non-conflictual are: non exec chair of McFaddens family office group, Chiltern Group (specialised property developers) and Multi-Media Music. I enjoy pensions from Channel 4, ITV and BBC, the latter two de minimis.

17. Have you ever held any post or undertaken any activity that might cast doubt on your political impartiality? If so how will you demonstrate your political impartiality in the role if appointed?

I have hitherto taken the Conservative whip since being introduced in the House of Lords in 2011. It is my intention to relinquish this whip and join the cross benches. In my senior editorial broadcasting career, my political impartiality was never questioned. It was a Labour government that appointed me to Chair the BBC.

18. Do you intend to serve your full term of office?

Yes

Ofcom

19. If appointed what will be your main priorities on taking up the role?

Manage expectations in respect of the implementation of the online safety legislation, play an advisory role as required in shaping the long-term future of public service broadcasting; ensure a competitive and functioning market in the telecoms sector.

20. What criteria should the Committee use to judge Ofcom's performance over your term of office?

Meeting Ofcom's statutory obligations, protecting consumer interests, and ensuring fair and transparent processes in dealing with all stakeholders.

21. How will you protect and enhance your personal independence and the institutional independence of Ofcom from the Government/ministers?

Ofcom is an independent statutory regulator. The Board of Ofcom must resist any undue political pressure. I fully understand that Ofcom's reputation depends on its reputation for political independence being robustly maintained.

22. How do you assess the public profile and reputation of Ofcom?

Ofcom's has built up an enviable reputation for integrity and fair dealing and transparency over many years – no mean achievement given the different sectors it is required to regulate. So far as public perception is concerned, it has made great strides in protecting consumers interests, particularly in the mobile sector.

23. What risks do you think Ofcom will face over your term of office? How do you intend to manage them?

There will be huge expectations that Ofcom will overnight reduce or even eliminate online harms as a result of the Online Safety Bill. Until the Bill has become law, it is hard to evaluate this risk or the expectations of Ofcom's ability to 'rein in' the big online platforms.

Part of my role will be to ensure the organisation provides clarity on the powers provided by the Bill.

Appendix 4: Information provided by the Department for Digital, Culture, Media and Sport about the preferred candidate and recruitment campaign

Information about the preferred candidate

- **Name of the preferred candidate**

Lord (Michael) Grade

- **Their current CV (to be sent as a separate document)**
- **Declaration of relevant interests made by the candidate:**

Lord Grade returned a 'Declaration of conflict of interest form' at point of application, and the following conflicts were discussed at interview:

- Position in the House of Lords as a Conservative Peer
- Chair of Infinity Creative Media, and of the production company StoryFirst.
- Member of the advisory board of Miroma Holdings Ltd, and on the board of Miroma SET.

Lord Grade will relinquish all interests and roles that represent a conflict, if the appointment is confirmed.

- **Declaration of relevant political activity made by the candidate required under paragraph 9.2 of the Governance Code on Public Appointments:**

As per the paragraph 9.2 of the Governance Code, political activity should not affect any judgement of merit nor be a bar to appointment. Any reportable donations are publicly available on the Electoral Commission website.

Lord Grade has declared political activity as he is currently a Conservative peer in the House of Lords. If appointed, Lord Grade would resign the Conservative whip and be a crossbench peer for the period of the appointment.

- **Proposed terms of appointment and remuneration (if any)**

This is a four-year appointment, with a time commitment of up to three days per week. The successful candidate will be paid £142,500 per annum, as approved by the Chief Secretary to the Treasury.

Further information on Ofcom, the role, the process and the candidate can be found below. Also attached at Annex B is the CO's proforma.

Background: the Ofcom and the role of the Chair

Full advertised role specification is attached as a separate document. Below is an extract of the role description and published essential criteria.

The Chair will be expected to:

- Lead an effective Board and provide appropriate support and challenge to the Chief Executive and wider executive team to deliver Ofcom's strategic and business plans and effectively discharge its statutory responsibilities, having regard to Government's wider strategic priorities; in particular through: ensuring that the Board meets with sufficient frequency; encouraging an open, inclusive discussion and challenge to the executive, where appropriate; ensuring the Board gives due time and attention to matters within its remit including matters reserved for the Board; and, evaluating the performance of the Board, Board Committees and individual Board Directors;
- Ensure the discharge of Ofcom's statutory functions in a proportionate and lawful manner, and having regard to Government's wider strategic priorities in relation to spectrum, telecoms and post, and workforce locations;
- Provide leadership to the organisation as its remit develops, including with the addition of online safety;
- Represent Ofcom to its various stakeholders, including the major companies that Ofcom regulates, the United Kingdom Government and Parliament and the Devolved National Governments of Wales, Scotland and Northern Ireland (working with the relevant Nations' Board Directors);
- Represent Ofcom in discussions with Ministers and building strong relationships with Whitehall;
- Ensure the discharge of Ofcom's statutory obligations, which includes the development of a Broadcasting Code for TV and radio services, covering standards in programming to protect the public from harmful and offensive material. This includes ensuring news is reported with due accuracy and presented with due impartiality; and,
- Uphold Ofcom's strong reputation as an impartial, independent and evidence-based regulator and ensure that the Ofcom Board's work is carried out at all times in accordance with the Seven Principles of Public Life: selflessness; integrity; objectivity; accountability; openness; honesty and leadership.

Key Selection Criteria

Candidates will need to be able to demonstrate that they meet the majority of the following criteria to a high standard:

- the ability to lead the Board of a major national body using sound judgement and decision-making to ensure successful delivery in a highly complex organisation;

- the ability to understand the business and economic principles underpinning the broadcasting, news consumption, online content platforms, telecommunications and postal industries in the digital environment;
- an appreciation of the needs of UK consumers and citizens and the competitive and consumer dynamics of these fast changing sectors;
- the ability to work effectively with the highest levels of Government as well as to command respect from senior stakeholders in industry;
- an understanding of the structures and business drivers of an economic or a regulatory environment; and
- a proven ability to drive through reform.

Personal attributes:

- In providing leadership to the Board, the Chair will be committed to working effectively with Board Directors and building a productive relationship with the Chief Executive;
- Candidates must demonstrate very high levels of personal integrity, and the ability to command respect and trust; and,
- Candidates must be able to demonstrate the ability to make sound, independent judgements under pressure.

About the recruitment process

- When the competition closed on 13 December 2021, there were a total of 32 applicants for the role. The competition was reopened for one week from 26 January 2022 to 2 February 2022. At the end of this period, the total number of live applications was 32. The diversity data at this point was as follows:
- 32 applicants completed the form:
 - 7 (22%) applicants identified as female;
 - 2 (6%) applicants identified as BAME; and,
 - 4 (13%) applicant declared a disability.
- A field of 9 applicants were selected for interviews. 3 applicants identified as female (33%), 1 applicant identified as being from a Black, Asian and Minority Ethnic (BAME) background (11%) and 1 applicant declared a disability (11%). In addition 4 (44%) have declared that their main residence is outside of London and the South East.
- The panel were encouraged about the diversity of the shortlist, particularly as there was higher representation compared to the longlist for the measured protected characteristics. In addition there was good regional representation and a broad range of relevant experience and expertise.
- The Advisory Assessment Panel (AAP) comprised:

- Sue Gray (Panel Chair)
- Michael Prescott (Senior Independent Panel Member)
- Michael Simmonds
- The interviews were held in person on Friday 4th, Tuesday 8th and Wednesday 9th March. Following the interviews, the panel assessed that 5 interviewed were appointable to this role.
- Appointments to the Board of the Ofcom are made under the Office of Communications Act 2002. This provides that there shall be a person appointed by the Secretary of State to Chair Ofcom.
- This appointments campaign was administered directly by the Public Appointments team at DCMS. The interview process was undertaken in accordance with the Governance Code and with the Principles of Public Appointments.

About the candidate

- **Lord Grade**

Michael Grade has had a long career in broadcasting, encompassing London Weekend Television, the BBC, ITV, as well as over nine years as Chief Executive of Channel Four Television.

In May 2004 he was appointed Chairman of the BBC, succeeding Gavyn Davies, resigning in November 2006 when his appointment as Executive Chairman of ITV was announced, a post he relinquished in 2009.

Michael Grade was non-executive Chairman of Pinewood and Shepperton Film Studios for 16 years.

He is non-executive Chairman of Infinity Creative Media, and of the Production Company StoryFirst. He is also non-executive Chairman of Reach for Entertainment, a Media and Entertainment Marketing Company.

Michael Grade is co-founder of the GradeLinnit company, which produces for the theatre.

He is Chairman of the Arora Group's Heathrow Expansion Advisory Board, having also been Chairman of Ocado, First Leisure Corporation, Camelot, the Charity Fundraising Regulator and Bradford's Media Museum as well as being a member of the former Press Complaints Commission and a trustee of the Science Museum.

In January 2011 he became the Conservative Peer, Lord Grade of Yarmouth.

Annex B: Proforma for departments to provide campaign information to select committees

Campaign Launch Date	1 November 2021
Campaign Closing Date	13 December 2021 (6 weeks later) The campaign re-opened for one week from 26 January 2022, until 2 February 2022.
Reason for any changes in timetable to that originally published	<p>Under Section 3.1 of the Governance Code for Public Appointments, Ministers reserve the right to extend the campaign closing date based on the diversity and quality of the field of applicants. Ministers reviewed the quality and diversity ahead of the initial closing date of 29 November 2021, and decided to extend for 2 further weeks in order to improve the longlist.</p> <p>Additionally, under section 3.1 Ministers must be consulted at all stages of the competitions. Ministers were consulted on the longlist of applications after closing, and they decided they would like to re-open the competition for a short period following the Christmas recess period, to ensure all potential applicants had sufficient opportunity to submit an application and to ensure both the department and Saxton Bampfylde had done all possible outreach.</p>
Advertising strategy	<p>The role was advertised on the Cabinet Office website for public appointments as well as promoting the role via Social Media channels.</p> <p>Due to the specialism of the role and the desire to generate a diverse and credible longlist that would allow Ministers a choice and the ability to make an appointment, DCMS requested to appoint headhunters for this search, which was approved by the Cabinet Office. Following a tender process run in line with government procurement rules, Saxton Bampfylde was appointed. DCMS worked closely with Saxton Bampfylde to ensure that diversity is a priority throughout and that appropriate channels and networks are utilised. The focus was on both the Cabinet Office targets for gender and ethnic minority representation, but also on ensuring there was diversity of experience and skills, as well as regional representation.</p> <p>Saxton Bampfylde contacted over 200 people in connection with the role, and provided</p>

	<p>weekly reports to DCMS on progress. In addition senior officials and Ministers from DCMS and No10 were asked to suggest suitable candidates for Saxton Bampfylde to contact. In the latter part of the campaign weekly steering groups were held with Saxton Bampfylde where the longlist was reviewed and strategies and potential candidates for outreach were discussed.</p> <p>In addition, following comments made by the Select Committee during consultation for the initial campaign the following wording was included in the supporting information in the published advert.</p> <p><i>“DCMS is committed to ensuring its public appointments are diverse, representative of society and benefit from a broad range of skills and perspectives. We would particularly welcome applications from women, those with a disability, and those from a black or ethnic minority background.</i></p> <p>Diversity and inclusion</p> <p><i>DCMS values and cares passionately about the diversity of its public appointments. Boards of public bodies should reflect our diverse society in order to ensure the sector has a leadership that draws fully on the different skills and perspectives our country has to offer.</i></p> <p><i>We strongly encourage applications from all candidates and particularly welcome applications from women, those with a disability, and those from a black or ethnic minority background.</i></p> <p><i>We ask all applicants to complete a diversity monitoring form. We hope you will help us by providing this information. Your data is not disclosed to the panel, but allows us to constantly evaluate any potential barriers to becoming a public appointee and whether there are any changes we could make to encourage a more diverse field to apply.”</i></p>
Advisory Assessment Panel	<p>Sue Gray (Panel Chair)</p> <p>Michael Prescott (Senior Independent Panel Member)</p> <p>Michael Simmonds</p>
Number of applicants	32
Number of candidates invited to interview	9
Number of candidates found appointable	5

Formal minutes

Thursday 31 March 2022

Members present:

Julian Knight, in the Chair

Kevin Brennan

Clive Efford

Julie Elliott

Rt Hon Damian Green

Simon Jupp

John Nicolson

Jane Stevenson

Giles Watling

Pre-appointment hearing for Chair of Ofcom

Draft Report (*Pre-appointment hearing for Chair of Ofcom*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 11 read and agreed to.

The Candidate's biography and supporting documents were appended to the Report as Appendices.

Resolved, That the Report be the Eleventh Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No.134.

Adjournment

Adjourned till Thursday 21 April 2022 at 9.30 am.

Witnesses

The following witness gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Thursday 31 March 2022

The Lord Grade of Yarmouth CBE, Government's preferred candidate for Chair of Ofcom

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website.

Session 2021–22

Number	Title	Reference
1st	The future of UK music festivals	HC 49
2nd	Pre-appointment hearing for Information Commissioner	HC 260
3rd	Concussion in sport	HC 46
4th	Sport in our communities	HC 45
5th	Pre-appointment hearing for Information Commissioner	HC 260
6th	Pre-appointment hearing for Chair of the Charity Commission	HC 261
7th	Racism in cricket	HC 1001
8th	The Draft Online Safety Bill and the legal but harmful debate	HC 1039
9th	Major cultural and sporting events	HC 259
10th	Pre-appointment hearing for Chair of the Charity Commission	HC 1200
1st Special Report	The future of public service broadcasting: Government Response to Committee's Sixth Report of Session 2019–21	HC 273
2nd Special Report	Economics of music streaming: Government and Competition and Markets Authority Responses to Committee's Second Report	HC 719
3rd Special Report	Sport in our communities: Government Response to Committee's Fourth Report	HC 761
4th Special Report	Racism in cricket: Government Response to Committee's Seventh Report	HC 1218
5th Special Report	The Draft Online Safety Bill and the legal but harmful debate: Government Response to Committee's Eighth Report	HC 1221

Session 2019–21

Number	Title	Reference
1st	The Covid-19 crisis and charities	HC 281
2nd	Misinformation in the COVID-19 Infodemic	HC 234
3rd	Impact of COVID-19 on DCMS sectors: First Report	HC 291
4th	Broadband and the road to 5G	HC 153
5th	Pre-appointment hearing for Chair of the BBC	HC 1119

Number	Title	Reference
6th	The future of public service broadcasting	HC 156
1st Special Report	BBC Annual Report and Accounts 2018–19: TV licences for over 75s Government and the BBC’s Responses to the Committee’s Sixteenth Report of Session 2017–19	HC 98
2nd Special Report	The Covid-19 crisis and charities: Government Response to the Committee’s First Report of Session 2019–21	HC 438
3rd Special Report	Impact of Covid-19 on DCMS sectors: First Report: Government Response to Committee’s Third Report of Session 2019–21	HC 885
4th Special Report	Misinformation in the COVID-19 Infodemic: Government Response to the Committee’s Second Report	HC 894